

### **REMARKS/ARGUMENTS**

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Claims 1-26 are pending in the present application.

Claims 25-26 are newly added.

Claims 1, 9 and 17 have been amended. It is respectfully submitted that no new matter has been added.

The Examiner objected to the drawings. Appropriate corrections are submitted for the Examiner's approval.

The Examiner rejected claims 1, 2, 4-10, 12-18, and 20-24 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,436,665 of Ueno, et al. (hereinafter "Ueno").

The Examiner rejected claims 3, 11, and 19 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,436,665 of Ueno, et al. (hereinafter "Ueno") as applied to claims 1, 2, 4-10, 12-18, and 20-24 in the above paragraph (3), and further in view of U.S. Patent Application No. 2002/00080878 A1 of Li (hereinafter "Li").

### **Drawing Objections**

The proposed drawing correction filed on July 7, 2003 has been disapproved because it is not in the form of pen-and-ink sketch showing changes in red ink or with the changes otherwise highlighted (MPEP § 608.02(v)).

Applicants have amended Figure 2 and changed block element 66 to block element 42.

Applicants have also amended Figure 2 and changed block element 57 to 688.

Applicants have amended Figure 6, block element 6910, and changed it to 690 per the Examiner's suggestion. Additionally, per the Examiner's suggestion, sheets highlighting the amendments to Figures 2 and 6 are submitted herewith in compliance with 37 C.F.R. § 1.85. No new matter has been added.

**35 U.S.C. § 102(b) Rejections**

Examiner rejected claims 1, 2, 4-10, 12-18, and 20-24 under 35 U.S.C. § 102(b) as being anticipated by Ueno. Applicants submit that the pending claims are not anticipated by Ueno. In regard to the rejection of claims 1-24, the Examiner has stated in part that:

the subtractor 12 of Ueno, et al subtracts the same reconstructed body of data, i.e., output of 104 of figure 1 of Ueno, et al., from a subsection of the source video sequence, i.e., output of 101 of figure 1 of Ueno, et al.  
(9/24/03, Office Action, p. 6)

Applicants respectfully submit that amended claim 1 is not anticipated by Ueno. Claim 1 recites the feature of “generating a second body of data... wherein the second body of data includes one or more enhancement layers that capture differences between the viewable video sequence and the source video sequence.” (Emphasis added) Ueno does not disclose this feature as can be seen by the following analysis. Ueno describes a motion picture coding apparatus for performing predictive coding on a high-resolution picture signal and coding a low-resolution picture signal obtained by converting the high-resolution picture signal. (Ueno, abstract) Ueno states that a low-resolution picture is prepared by dropping one field off. (Ueno, Col. 2, ll. 49-51). More specifically, Ueno “thins out one field for each frame of a picture, and down-samples the other field” to form the low-resolution picture. (Ueno, col. 3, ll. 13-17). Ueno’s low-resolution picture is not an enhancement layer as claimed by applicants. Ueno does not contemplate anywhere in his patent, the feature of “one or more enhancement layers that capture differences between the viewable video sequence and the source video sequence.” Because Ueno does not disclose this feature as taught by claim 1, from which claims 2-8 depend applicants respectfully submit that claims 1-8 are not anticipated under 35 U.S.C. §102(b) by Ueno.

The Examiner also rejected independent claim 9 under 35 U.S.C. §102(b) for the reasons set forth in the rejection of claim 1. Claim 9 discloses substantially similar limitations as claim 1,

and recites “one or more enhancement layers that capture differences between the viewable video sequence and the source video sequence.” (Emphasis added) Because, Ueno does not disclose this feature as taught by applicants’ claim 9 from which claims 10-16 depend, for the reasons discussed above with regard to claim 1, applicants respectfully submit that claims 9-16 are not anticipated under 35 U.S.C. §102(b) by Ueno.

The Examiner also rejected independent claim 17 under 35 U.S.C. §102(b) for the reasons set forth in the rejection of claim 1. Claim 17 discloses substantially similar limitations as claim 1, and recites “one or more enhancement layers that capture differences between the viewable video sequence and the source video sequence.” (Emphasis added) Because, Ueno does not disclose this feature as taught by applicants’ claim 17 from which claims 18-24 depend, for the reasons discussed above with regard to claim 1, applicants respectfully submit that claims 17-24 are not anticipated under 35 U.S.C. §102(b) by Ueno.

### **35 U.S.C. § 103(a) Rejections**

The Examiner rejected claims 3, 11, and 19 under 35 U.S.C. § 103(a) as being unpatentable over Ueno as applied to claims 1, 2, 4-10, 2-18, and 20-24, and further in view of Li. In regard to the rejection of claims 3, 11, and 19 under 35 U.S.C. §103(a), the Examiner has stated in part that:

Ueno...does not particularly disclose prior to generating the second body of data generated by subtracting the reconstructed body of data from the subsection of the source video sequence, spatially reconstruct and clip the reconstructed second body of data... However, Li...teaches the conventional clipping of reconstructed bodies of data.

(9/24/03 Office Action, p. 5).

Applicants submit that in claims 1-24 are not obvious in view of Ueno and Li. In regard to the rejection of claim 3, even if Ueno and Li were combined, such a combination would lack one or more features of claim 1 from which claim 3 depends. Amended claim 1 recites the

feature of “wherein the reconstructed body of data is selected from of at least two separate reconstructed bodies of data, and wherein the second body of data includes one or more enhancement layers...” (emphasis added) Ueno does not disclose this feature for the reasons provided above in response to the rejection of claim 1. Nor does Li disclose this feature as shown by the following analysis. Li’s application describes an apparatus to automatically identify the region of interest in a picture and code it at a higher quality than the rest of the frame. (Li, [0003]). Thus, it is evident that Li does not describe “wherein the reconstructed body of data is selected from a group of at least two separate reconstructed bodies of data, and wherein the second body of data includes one or more enhancement layers...” Thus, because neither, Ueno nor Li disclose this feature, applicants respectfully submit that claim 1 is not obvious under 35 U.S.C. §103(a) by Ueno in view of Li. Given that claims 2-8 depend from claim 1, applicant respectfully submits that claims 1-8 are not obvious under 35 U.S.C. §103(a).

The Examiner also rejected dependent claim 11 under 35 U.S.C. §103(a) for the reasons set forth in the rejection of claim 3. Claim 9, from which claim 11 depends, discloses substantially similar limitations as claim 1, and recites “wherein the reconstructed body of data is selected from a group of at least two separate reconstructed bodies of data, and wherein the second body of data includes one or more enhancement layers.” (Emphasis added) Because, neither Ueno nor Li disclose this feature as taught by applicants’ claim 9 from which claims 10-16 depend, for the reasons discussed above with regard to claim 1, applicants respectfully submit that claims 9-16 are not made obvious under 35 U.S.C. §103(a) by Ueno in view of Li.

The Examiner also rejected independent claim 19 under 35 U.S.C. §103(a) for the reasons set forth in the rejection of claim 3. Claim 17 from which claim 19 depends, discloses substantially similar limitations as claim 1, and recites “wherein the reconstructed body of data is selected from a group of at least two separate reconstructed bodies of data, and wherein the second body of data includes one or more enhancement layers.”(Emphasis added) Because neither Ueno nor Li disclose this feature as taught by applicants’ claim 17 from which claims 18-

24 depend for the reasons discussed above with regard to claim 1, applicants respectfully submit that claims 17-24 are not made obvious under 35 U.S.C. §103(a) by Ueno in view of Li.

**CONCLUSION**

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Sanjeet K. Dutta (408) 947-8200, x220.

If there are any additional fees due in connection with this communication, please charge our deposit account no. 02-2666.

Respectfully submitted,

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Dated: January 23<sup>rd</sup>, 2004

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